

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1143

H.P. 821

House of Representatives, March 22, 2021

An Act To Protect Tenants from Unnecessary Evictions

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HARNETT of Gardiner.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: EVANGELOS of Friendship, KESSLER of South Portland, MILLETT of
Cape Elizabeth.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 14 MRSA §6002, first ¶**, as amended by PL 2015, c. 293, §6, is further
3 amended to read:

4 Tenancies at will must be terminated by either party ~~by a minimum of 30 days' notice,~~
5 ~~except as provided in subsections 2 and 4~~ as set forth in subsections 1 and 2, in writing for
6 that purpose given to the other party, but if the landlord or the landlord's agent has made at
7 least 3 good faith efforts to serve the tenant, that service may be accomplished by both
8 mailing the notice by first class mail to the tenant's last known address and by leaving the
9 notice at the tenant's last and usual place of abode. ~~In cases when the tenant has paid rent~~
10 ~~through the date when a 30-day notice would expire, the notice must expire on or after the~~
11 ~~date through which the rent has been paid. Either party may waive in writing the 30 days'~~
12 ~~notice at the time the notice is given, and at no other time prior to the giving of the notice.~~
13 ~~A termination based on a 30-day notice is not affected by the receipt of money, whether~~
14 ~~previously owed or for current use and occupation, until the date a writ of possession is~~
15 ~~issued against the tenant during the period of actual occupancy after receipt of the notice.~~
16 When the tenancy is terminated, the tenant is liable to the process of forcible entry and
17 detainer without further notice and without proof of any relation of landlord and tenant
18 unless the tenant has paid, after service of the notice, rent that accrued after the termination
19 of the tenancy. These provisions apply to tenancies of buildings erected on land of another
20 party. Termination of the tenancy is deemed to occur at the expiration of the time fixed in
21 the notice. ~~A 30-day notice under this paragraph and a 7-day notice under subsection 2 may~~
22 ~~be combined in one notice to the tenant.~~

23 **SUMMARY**

24 This bill provides that a landlord may not terminate a tenancy at will without cause.